

REMARKS/ARGUMENTS

The claims are 1-4. Claim 1 has been amended to conform to the amended claims in the International Application. Support may be found, *inter alia*, in the original claims. Reconsideration is expressly requested.

Claims 1-4 were rejected under 35 U.S.C. 103(a) as being unpatentable over *Tennby et al.* U.S. Patent No. 6,471,804 in view of *Shimizu et al.* EP 0 818 188 for the reasons set forth on pages 2-3 of the Office Action. Essentially, the Examiner's position was that *Tennby et al.* discloses the method recited in the claims except for the hook fasteners which were said to be shown by *Shimizu et al.*

This rejection is respectfully traversed.

As set forth in claim 1 as amended, Applicant's invention provides a method for affixing a reusable fastener that consists of a fastener tape and a fastener strip to a baby diaper. The strips consist of a carrier and a material laminated on and have

fastener elements in the form of loops or hooks attached to the baby diaper without adhesive. The strips are basted on in a first method step, by means of thermobonding or ultrasound bonding, and firmly bonded to the counter-surface in a second method step, by means of cold pressing. By dividing the attachment method into two method steps, the dwell time that is required for applying and attaching the fastener strips and fastener bands in the case of continuous production can be reduced by up to fifty percent. With Applicant's method as recited in claim 1 as amended, the attachment of the closure tapes and the closure strips on the baby diaper in each instance is simplified without impairing the production speed in diaper production.

The primary reference to *Tennby et al.* concerns itself with the affixing of material strips 2 to a carrier 4. See FIG. 1 in connection with column 2, lines 20-31 of *Tennby et al.* In this connection, the production of a closure tape as well as a closure strip in a re-closure of a baby diaper is also discussed. See the section "Technical Field" of *Tennby et al.*

In *Tennby et al.*'s method, two method steps are required for attaching the closure strip 2 to the carrier 4 which correspond to processing stations 3 and 6 shown in FIG. 1. See column 2, lines 20-31 of *Tennby et al.*; however, **both** stations 3 and 6 **uniformly** use an *ultrasound bonding process* for connecting the closure strip 2 to the carrier 4. Both in the first station 3 and in the second station 6, ultrasound bonding heads 17 and 18, respectively, are implemented, in each instance, for the bonding that takes place. See column 4, lines 9-16 and 39-48 of *Tennby et al.*

Therefore, *Tennby et al.*'s method requires *duplicate or double ultrasound bonding* of the closure strip 2 with the carrier 4 to take place. Thus, although *Tennby et al.* wants to provide an attachment *without adhesive*, *Tennby et al.* teaches doing so with a completely different process than that set forth in Applicant's claim 1 as amended, namely by means of **duplicate ultrasound bonding**. There is no disclosure or suggestion of a method for affixing a reusable fastener whereby the strips are **basted on in a first step by means of thermobonding or ultrasound**

bonding and in a second method step firmly connected with the surface by means of **cold-pressing**.

The defects and deficiencies of the primary reference to *Tennby et al.* are nowhere remedied by the secondary reference to *Shimizu et al.* *Shimizu et al.* relates to a baby diaper equipped with a re-closure. For the attachment of closure strips, *Shimizu et al.* teaches that the work is consistently carried out with a hot-glue method. See column 4, lines 5-11 and 32-42 of *Shimizu et al.* Direct bonding is also mentioned in column 4, lines 42-44, which can be done by means of thermobonding or ultrasound bonding as stated in column 4, lines 48-51. Thus, *Shimizu et al.* teaches working with only one method step, rather than with Applicant's method as recited in claim 1 as amended, in which the strips are basted on in a first step by means of thermobonding or ultrasound bonding and in a second method step they are firmly bonded with the opposite surface by means of cold pressing.

Thus, although the prior art discloses affixing closure strips to a carrier without adhesive in the case of a baby

diaper, completely different methods are pursued as compared with Applicant's method as recited in claim 1 as amended. For example, the teaching according to *Shimizu et al.* proposes the method step (a) according to Applicant's method as recited in claim 1 as the sole measure, namely working with thermobonding or ultrasound bonding. As an alternative, *Tennby et al.* pursues two method steps but in both cases considers ultrasound bonding to be absolutely necessary.

In contrast, Applicant's method as recited in claim 1 as amended, uses two **different** methods of procedure for the first and second method step. In the first method step, thermobonding or ultrasound bonding takes place, whereas the second method step is directed at cold pressing with the opposite surface.

With Applicant's method as recited in claim 1 as amended, using the two specified different methods of procedure, particular advantages result, which the prior art is unable to achieve either alone or in combination.

In fact, Applicant's invention as recited in claim 1 as amended and only Applicant's invention has recognized that it is sufficient for affixing the closure strip on the carrier to work with only one thermobonding or ultrasound bonding process, and to configure this process in such a manner that in this first method step, the strip is merely *basted on*. In other words, the strip is not connected with the carrier over its full area. Only in the second method step is the strip firmly connected with the opposite surface, specifically by means of cold pressing.

In this manner, the use of pressure and heat are divided into two different method steps with Applicant's method as recited in claim 1 as amended. As a result, the two method steps can be carried out spatially separated from one another, and can be performed parallel to one another in terms of time, for example. Applicant has recognized that the first method step, with the thermobonding or ultrasound bonding process, is relatively time consuming due to the simultaneous application of heat and pressure, and in most cases clearly takes longer than contact adhesion. In order to not unnecessarily extend the

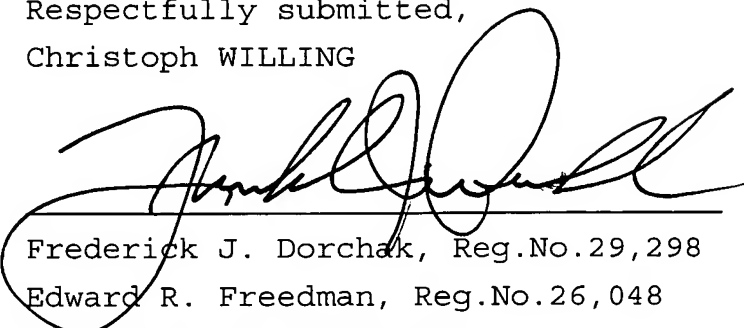
entire production time, Applicant's method as recited in claim 1 as amended, in contrast to the teaching of *Tennby et al.* explicitly does not propose an additional (second) time-intensive ultrasound bonding process, but rather uses this method of procedure only in order to connect the closure strip with the carrier at points ("basted on"), which takes place quickly and without problems. Only the final cold pressing process assures permanent coupling of the closure strip to the carrier, so that the production speed of the diaper production, as a whole, is not impaired.

It is respectfully submitted that the foregoing demonstrates a clear indication of quality of the invention, which can not be achieved by *Tennby et al.*'s double ultrasound bonding step or *Shimizu et al.*'s single thermobonding or ultrasound bonding step. Accordingly, it is respectfully submitted that claim 1 as amended, together with claims 2-4, which depend directly or indirectly thereon, are patentable over the cited references.

In summary, claim 1 has been amended. In view of the foregoing, it is respectfully requested that the claims be allowed and that this application be passed to issue.

Respectfully submitted,
Christoph WILLING

COLLARD & ROE, P.C.
1077 Northern Boulevard
Roslyn, New York 11576
(516) 365-9802



Frederick J. Dorchak, Reg.No.29,298
Edward R. Freedman, Reg.No.26,048
Attorneys for Applicant

FJD:cmm

Enclosure: Copy of Petition for one-month Extension of Time

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on December 31, 2007.



Melissa Konko